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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/709,343      | 11/13/2000  | Alexander C. Lang    | 9-14798-SUS         | 4407             |

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EXAMINER

DEANE JR, WILLIAM J

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2642

DATE MAILED: 08/28/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

W1

**Office Action Summary**

Application No.

09/709,343

Applicant(s)

LANG, ALEXANDER C.

Examiner

William J Deane

Art Unit

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 August 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-60 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-60 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 – 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,584,490 (Schuster et al.) in view of U.S. Patent No. 6,317,792 (Mundy et al.).

With respect to claims 1 – 60, note that Schuster et al. teach the claimed method, system and call completion application as recited in claims 1 – 60 (see Abstract, Figs., Col. 3, line 41 – Col. 4, line 41, Col. 6, line 24 – Col. 9, line 36, Col. 10, line 65 – Col. 11, line 51, Col. 15, lines 19 – 42, Col. 17, lines 41 – 65, Col. 19, line 49 – Col. 23, line 44) except for the POPs and the claimed aspects to the POPs. However, note that Mundy et al. teach such POPs and the claimed aspects thereof. See Abstract, Col. 1, lines 8 – 28, Col. 2, lines 29 – 38, Col. 2, line 41 – Col. 3, line 47, Col. 4, line 41 – Col. 6, line 47, Col. 7, line 18 – Col. 8, line 31, Col. 9, line 32 – Col. 10, line 30, Col. 10, line 32 – Col. 11, line 2. It would have been obvious to one of ordinary skill in the art to have incorporated such POP aspects as taught by Mundy et al. into the Schuster et al. in order to save costs in communication connections. With respect to the encryption aspects note Col. 5, line 62. Encryption is old in the art and it would have been obvious to one of ordinary skill in the art to use encryption wherever it is deemed necessary.

**Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

U.S. Patent Application No. 2003/0115353 (Deryugin et al.) – note Figs. and Abstract;

U.S. Patent Application No. 2003/0068018 (Huna) – note Figs and Abstract;

U.S. Patent Application No. 2001/0010047 (Shen et al.) – note Figs and Abstract;

U.S. Patent Application No. 2001/0026609 (Weinstein et al.) – note Figs. and Abstract;


U.S. Patent No. 5,742,905 (Pepe et al.) – note Abstract and Figs. ;

U.S. Patent No. 5,742,668 (Pepe et al.) – note Abstract and Figs. and

U.S. Patent No. 5,185,785 (Funk et al.) – note Figs. and Abstract.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bill Deane whose telephone number is (703) 306-5838. In addition, facsimile transmissions should be directed to Bill Deane at facsimile number (703) 872-9314.

16Aug03

  
WILLIAM J. DEANE, JR.  
PRIMARY EXAMINER